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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,362	05/22/2001	Paul Krantz	P05000US0	1100

22885 7590 06/27/2005

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 DES MOINES, IA 50309-2721

EXAMINER

BYLCIW, STEPHEN

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/862,362	KRANTZ ET AL.	
	Examiner	Art Unit	
	Stephen Bylcw	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>22 May 2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This non-final office action is in response to the application filed in the United States on May 22, 2001. Claims 1-19 are pending.

Abstract

2. The abstract of the disclosure is objected to because the 4th and 5th words ("for providing") are extraneous in the 2nd sentence. Correction is required. See MPEP § 608.01(b).

Examiner's Note

3. Examiner interprets a "web site" as a group of world-wide-web pages containing hyperlinks to each other, made available online via web servers, and typically accessed via computer-based browsers. Consequently, there are no 35 USC § 101 objections as the subject matter is contained within the technological arts.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. **Claims 1-19 are rejected under 35 U.S.C. 102(a) as being anticipated by the Evite, Inc. website (www.evite.com) from 1999 to 2000 aspects of which are evidenced by the following references:**

- I. McCracken, Harry, "Evite.com: Event Coordinator for a Wired World" (1999); hereafter referred to as Reference A.
- II. Evite web page from August 15, 2000; hereafter referred to as Reference B.
- III. "Branded For Life: To Click Or Not To Click" (2000); hereafter referred to as Reference C.
- IV. "McGrane, Sally, "Now, Who Shall We Invite..." (2000); hereafter referred to as Reference D.
- V. Goodin, Dan, "Net Event-Planing To Party Like It's 1999" (1999); hereafter referred to as Reference E.
- VI. PR Newswire, "Evite, Inc. Unveils Version 3.0; Evolves into Full-Featured..."; hereafter referred to as Reference F.
- VII. Evite web page from May 11, 2000; hereafter referred to as Reference G.
- VIII. Evite web page from May 10, 2000; hereafter referred to as Reference H.
- IX. Thomas, SG, "Online Party Planning Misses The Human Touch" (2000); hereafter referred to as Reference I.
- X. Harvey, Phil, "Evite gets People Together The Take" (1999); hereafter referred to as Reference J.
- XI. Evite web page from March 2, 2000; hereafter referred to as Reference K.
- XII. Evite web page from October 7, 2000; hereafter referred to as Reference L.

XIII. Degnan, Christa "New Online Planner Links Users" (1999); hereafter referred to as Reference M.

Regarding claims 1, 8, and 13, Evite's www.evite.com teaches a method and online system for planning a party. Evite, Inc (established in 1997) has an online Internet system and method providing robust party/ event planning capabilities for users to manage RSVPs, provide ideas for parties/ events, and facilitate the buying and renting of related items. It is comprised of:

- Promoting the web site as a party planning site (Reference B: "Parties & Entertaining" link under the "Ideas and Planning Help" section and Reference C: lines 17-18).
- Providing content on the web site related to party planning (Reference B: "Ideas and Planning Help" section.)
- Prompting a visitor to the web site for party information (Reference D: page 2, lines 10-11).
- Facilitating a user's ability to selectively associate party-related links with the party information (Reference A, page 2, lines 13-14).
- Saving the party information including the party related links (Reference A, page 1, lines 17-19 describing "messages viewable by all." It is well known by those of ordinary skill in the art that party information as well as party-related content links in the messages that attendees type would

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need to be saved in order to be viewed by other attendees at different times. Reference I, page 1, lines 9-12).

- Designing e-mail invitations (Reference E, page 1, lines 13-14; Reference G, "Decorate" section and "Graphics, Sounds, and More" section to personalize invitations; Reference H to add graphics to an invitation).
- Sending e-mail invitations (Reference G, "Send Now" button, Reference I, page 1, lines 9-12).
- Tracking and receiving RSVP's (Reference F, page 2, lines 12-14).
- Creating party menus (Reference J, page 1, lines 4-7 and page 2, lines 6-10 "The Evite page that you create will also have... the plans in general"; and Reference K, see section "What To Bring.").
- Building guest lists (Reference E, page 1, lines 13-14).
- Providing users the ability to associate online content with a party (Reference A, page 2, lines 13-14).

Regarding claim 2, Evite's www.evite.com teaches a method and online system for planning a party comprised of:

- Restoring saved party information when visitor (attendee, invitee) returns to the site (Reference D, page 2, line 2 for information regarding registering and the act of registering inherently involves saving. Furthermore, Reference E, page 1, lines 15-16: "see who else is coming"

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is interpreted to mean an ongoing saved list of everyone that has accepted the invitation, including the visitor).

Regarding claims 3 and 14, Evite's www.evite.com teaches a method and online system for planning a party comprised of:

- Selectively associating links to culinary recipes with the party information (Reference F: page 2, lines 18-20; and Reference A, page 2, lines 13-14 for the ability for users to manually associate links to other websites (examples: restaurant reviews, culinary recipes, etc.)).

Regarding claims 4 and 9, Evite's www.evite.com teaches a method and online system for planning a party comprised of:

- Selectively associating links to decorating content with the party information (Reference L, page 1, section "Request a Service", link: "Interior Designers & Decorators").

Regarding claims 5, 10, 12, 15, and 16, Evite's www.evite.com teaches a method and online system for planning a party comprised of:

- Selectively associating links to items to buy or rent with the party information (Reference F, page 2, lines 18-20, "...purchase [buy] fresh flowers"; Reference L, section "Already Sent Your Invite?" link "Rent a Movie").

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- An e-commerce component, the ecommerce component facilitating the online purchase of items that a party planer has associated with a party (Reference A, page 2, lines 30-33).

Regarding claims 6 and 7, Evite's www.evite.com teaches a method and online system for planning a party comprised of:

- Including a list of e-mail addresses associated with guests to invite to the party (Reference E, page 1, lines 13-16, "...enters the names and e-mail addresses... invitees visit the site to RSVP, see who else will be coming...").
- Ability to electronically notify a guest of a party invitation (Reference E, page 1, lines 13-14, "Party giver goes to Evite, enters... e-mail addresses or fax numbers of the guests, and creates a customized invitation that Evite sends out."
- Maintaining a guest list including RSVP information accessible to a visitor of the web site (Reference E, page 1, lines 15-16, "...invitees get to visit the site to RSVP, see who else is coming, and get information...")

Regarding claim 11, Evite's www.evite.com teaches a method and online system for planning a party comprised of:

- Comprising means for printing a party invitation (Reference M, page 1, lines 4-6, "The service lets users register to organize an event then send –

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via e-mail or fax – invitations...” It is well known to one of ordinary skill in the art that fax messages, e-mails and web pages containing an invitation can be printed.

Regarding claim 17, Evite's www.evite.com teaches a web site for party planning comprised of:

- A data storage component for storing party information (Reference D: page 2, line 2 “register” when registering inherently involves saving user information (eg. Name, password, etc) in a data server and on a database; Reference E: page 1, lines 15-16: “...see who else is coming...” i.e. a saved/ stored list of invitees everyone can review.
- A guest list management component having at least one input for receiving a guest-to-invite e-mail address (Reference G: page 1, section “3. Who and Why,” “Send this Evite to: Enter emails or fax #s separated by commas”).
- A web page (form) for entering notes to guests and a “Send Now” button (Reference G, page 1, section “3. Who & Why,” “Enter Notes To Guests.”), that when selected/ clicked the system sends an e-mail with a link to the invitation to the invitees (Reference D, page 2, lines 10-11).
- Well known Internet NAV tools (techniques, approaches) and NAV bars (frames, links, etc.) wherein these elements/ components are responsive to a user event (user click) wherein upon an event a link to the web page

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(or other content) is stored in the storage component or typically a Web server (Reference E: exhibits left NAV bar/ area; Reference G: exhibits bottom NAV; Reference H: exhibits left and bottom NAV; Reference L: exhibits top, left, and bottom NAV).

Regarding claim 18, Evite's www.evite.com teaches a web site for party planning comprised of:

- One or more web pages displaying party-related content in the content frame (Reference K, section "1. What, Where & When," section "What To Bring.")

Regarding claim 19, Evite's www.evite.com teaches a method and online system for planning a party comprised of:

- Having a plurality of culinary recipes (Reference F: page 2, lines 18-20).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a) U.S. Patent 6,016,478 teaches an electronic personal information manager (PIM) including a peer-to-peer group scheduling/ calendaring system.
- b) U.S. Patent 6,457,045 teaches a method and system to support making choices, such as in a schedule, invitation, or poll.

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c) Buhle, E Loren, "The e-Business Overview: IT Architecture," Digital Systems Report: Third Quarter 2000; ProQuest Computing (p. 16) teaches the traditional approach to Web and IT architectures.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Bylcw whose telephone number is 571-272-8125. The examiner can normally be reached on weekdays, 8AM-5PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SB 6/20/2005


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